

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HEATHER HALBACH, et al.,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:05CV02399 ERW
	)	
GREAT-WEST LIFE & ANNUITY	)	
INSURANCE CO., et al.,	)	
	)	
Defendant(s).	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiffs' Renewed Motion to Amend the Case Management Order to Permit Additional Depositions [doc. #160].

This Court heard oral arguments on Plaintiffs' Motion on September 4, 2007. The Court entered an order, holding in abeyance Plaintiffs' pending motion, until briefing and arguments had been held on two pending motions to compel. The Court heard arguments on this Date on the two motions to compel, and issued an order addressing those two motions. The Court will now address Plaintiffs' pending Motion to Amend Case Management Order.

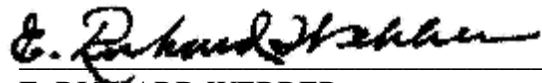
The Court finds that the additional depositions are not required in order to proceed with dispositive motions, as the depositions are not discovery depositions, but rather are trial depositions. Plaintiffs seek a number of short depositions in order to avoid the cost and hardship of bringing numerous unnamed class members to St. Louis, Missouri, for trial, when each class members testimony is expected to be extremely short. The Court has determined that while this may be an appropriate approach in order to effectively manage the trial in this case, it is not necessary prior to the deadline for filing dispositive motions. Plaintiffs' counsel stated before this

Court, that the evidence required for dispositive motions can be obtained in the form of sworn affidavits. Therefore, the Court continues to hold in abeyance Plaintiffs' Renewed Motion to Amend, until this Court rules on dispositive motions.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' Renewed Motion to Amend Case Management Order to Permit Additional Depositions [doc. #160] is held in abeyance, pending this Court's ruling on any dispositive motions.

Dated this 12th Day of September, 2007.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written over a horizontal line.

E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE